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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/493,472	01/28/2000	James P. Mitchell	00CR063/KE	2281

7590 07/11/2008  
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EXAMINER
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SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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07/11/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/493,472	<b>Applicant(s)</b> MITCHELL, JAMES P.	
	<b>Examiner</b> ANNAN Q. SHANG	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 02/29/08 have been fully considered but they are not persuasive.

With respect to the rejection of the last office action mailed on 11/29/07, Applicant discusses the prior arts of record (**Leuca et al '6,201,797'** in view of **Podowski et al '5,524,272'**), the claimed invention and further argues that the prior arts of record do not teach the recited claims limitations (see pages 8+ of Applicant's Remarks).

In response, Examiner disagrees. Examiner notes Applicant's arguments, however, Applicant discusses the individual prior arts of record without considering the rejection as a whole. As discussed in the office action and repeated below, **Leuca** discloses a communication system (figs. 1 and 2) for a mobile platform (Airborne), the mobile platform being stationary at a docking area. Leuca discloses a server (33) located in ground-based station (figs 1, 2, col.3, line 18-44 and col.4, line 27-61) and comprising a wireless transceiver, a first satellite receiver, and first storage unit, the server (Server 33) being configured to store order data received by the first satellite, and to store video data received by the first satellite receiver in the storage unit in response to the order wire data (col.2, line 58-col.3, line 20 and line 31-col.6, line 14), Leuca further discloses a satellite receiver on the mobile platform (Aircraft 40); a wireless docking area transceiver; a wireless platform transceiver; a wireless platform transceiver on the mobile platform receiving order wire data and video data from the

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wireless docking area transceiver while the mobile platform is at the docking area; and a storage unit (server 12), the storage unit being located on the mobile platform, the wireless docking area transceiver providing the video data and the order wire data to the wireless platform transceiver while the mobile platform is at the docking area, where the storage unit stores the video data for playback in the mobile platform and the storage unit storing the order wire data, the order wire data controls a source of video playback of a program being either video data in the storage unit or the satellite receiver, or both the storage unit and the satellite receiver (col.2, line 58-col.3, line 20 and line 31-col.6, line 14). Leuca, teaches a ground-based station, but silent as to the claimed limitation docking area for receiving order wire and video data from a distribution center, and communicates data to the mobile platform while the mobile platform is at the docking area. In analogous art, **Podowski** discloses a docking area [terminal] for a mobile platform [aircraft] (see fig. 1) at which various entertainment and control data are communicated from a distribution center to said mobile platform (see cols. 2-3). Located in the docking area is a server, [41] (fig. 4; col. 3, 11.40-45) comprising a satellite receiver [42] and a storage unit [44] (fig. 4) for storing video data and other data received by the satellite receiver [42] (col. 5, 11.5-35) and subsequently relaying the data to the mobile platform while the mobile platform is at the docking area (col. 6, 11.22-38). In response to information transmitted therewith, the server buffers information packages provided by the distribution center until the information is to be transferred to its respective mobile platform (col. 5, 11.40-53), thereby simplifying the distribution process as experienced by the distribution center (col. 3, 11.54-63). The

prior arts of records meets all the claim limitations, hence Applicant's arguments are not persuasive. The rejection is proper meets all the claims limitations as repeated below.

**This office action is made Final.**

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Leuca et al (6,201,797)** in view of **Podowski et al (5,524,272)**.

Regarding claims 1, 12, 13, and 17, **Leuca** discloses a communication system (figs. 1 and 2) for a mobile platform (Airborne), the mobile platform being stationary at a docking area, the communication system comprising:

A server located in ground-based station (figs 1, 2, col.3, line 18-44 and col.4, line 27-61) and comprising a wireless transceiver, a first satellite receiver, and first storage unit, the server (Server 33) being configured to store order data received by the first satellite, and to store video data received by the first satellite receiver in the storage unit in response to the order wire data (col.2, line 58-col.3, line 20 and line 31-col.6, line 14),

a satellite receiver on the mobile platform (Aircraft 40); a wireless docking area transceiver; a wireless platform transceiver; a wireless platform transceiver on the

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mobile platform receiving order wire data and video data from the wireless docking area transceiver while the mobile platform is at the docking area; and a storage unit (server 12), the storage unit being located on the mobile platform, the wireless docking area transceiver providing the video data and the order wire data to the wireless platform transceiver while the mobile platform is at the docking area, where the storage unit stores the video data for playback in the mobile platform and the storage unit storing the order wire data, the order wire data controls a source of video playback of a program being either video data in the storage unit or the satellite receiver, or both the storage unit and the satellite receiver (col.2, line 58-col.3, line 20 and line 31-col.6, line 14).

Leuca, teaches a ground-based station, but fails to explicitly teach the claimed limitation docking area for receiving order wire and video data from a distribution center, and communicates data to the mobile platform while the mobile platform is at the docking area.

In analogous art, **Podowski** discloses a docking area [terminal] for a mobile platform [aircraft] (see fig. 1) at which various entertainment and control data are communicated from a distribution center to said mobile platform (see cols. 2-3). Located in the docking area is a server, [41] (fig. 4; col. 3, 11.40-45) comprising a satellite receiver [42] and a storage unit [44] (fig. 4) for storing video data and other data received by the satellite receiver [42] (col. 5, 11.5-35) and subsequently relaying said data to the mobile platform while the mobile platform is at the docking area (col. 6, 11.22-38). In response to information transmitted therewith, the server buffers

information packages provided by the distribution center until said information is to be transferred to its respective mobile platform (col. 5, 11.40-53), thereby simplifying the distribution process as experienced by the distribution center (col. 3, 11.54-63).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Podowski into the system of Leuca to provide a docking area and a server to store order wire data and video data received by the satellite receiver in the storage unit in response to the order wire data, thereby simplifying the distribution of said data by the distribution system.

As to claims 2, 9, 10, 11, 15, 18, 22, and 25-27, Leuca and Podowski, disclose the communication system of claims 1, 13, and 17. In addition, Leuca further discloses the video data includes Internet data, message data, entertainment data (col.2, line 58-col.3, line 20 and line 31-col.6, line 14).

As to claims 3, 6, 14, and 19 are met as discussed in claims 1, 12, 13 and 17.

As to claims 4 and 20, Leuca and Podowski further disclose where the communication system is wireless docking transceiver is a short-range transceiver (col.3, lines 18-30).

As to claim 5, Leuca and Podowski further disclose where wireless platform transceiver is a radio frequency short range transceiver (col.3, lines 18-30).

As to claims 7 and 23, Leuca and Podowski further disclose where the mobile platform is a boat (col.2, lines 48-66).

Regarding claims 8 and 24, Leuca and Podowski fail to explicitly disclose the mobile platform is a road vehicle.

Official notice is taken of the fact that it is well known in the art to incorporate passenger entertainment systems in road vehicles (e.g., buses), for the purpose of providing passengers with video entertainment and other interactive services.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the communication system and method of Leuca and Podowski in a road vehicle, for the purpose of providing enhanced interactive entertainment services to the passengers.

Regarding claims 16, 21, and 30, Leuca and Podowski discloses the wireless platform transceiver transmits mobile platform operational data to the wireless docking area transceiver (col.2, line 58-col.3, line 20 and line 31-col.6, line 14).

Regarding claim 28, Leuca discloses the control information includes identity information (TCP/IP communication protocol is employed), communications between the mobile platform and the airport wireless link comprise identity information (col.5, line 29-col.6, line 25).

Regarding claim 29, Leuca discloses the control information includes destination information communications between the mobile platform and the airport wireless link comprise destination, i.e., address information (col.5, line 29-col.6, line 25).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative or access** to the automated information system, **call 800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Annan Q Shang/

Primary Examiner, Art Unit 2623

**Annan Q. Shang**